

1.0 Purpose and Need

Chapter 1 of this programmatic environmental assessment for a Trails Management Program presents the U.S. Department of Energy (DOE), National Nuclear Security Administration's (NNSA) requirements under the *National Environmental Policy Act of 1969* (NEPA), program objectives, background information on the proposal, relevant issues, the purpose and need for agency action, and a summary of public involvement activities.

1.1 Introduction

NEPA requires Federal agency officials to consider the environmental consequences of their proposed actions before decisions are made. In complying with NEPA, DOE and NNSA¹ follow the Council on Environmental Quality (CEQ) regulations (40 CFR 1500-1508) and DOE's NEPA implementing procedures (10 CFR 1021). The purpose of an environmental assessment (EA) is to provide Federal decision makers with sufficient evidence and analysis to determine whether to prepare an environmental impact statement (EIS) or issue a Finding of No Significant Impact.

At this time, the NNSA must make a decision regarding the establishment of an on-going Trails Management program to address the continuing use of existing social trails² at Los Alamos National Laboratory (LANL). This EA is therefore programmatic in nature. This program would consider the maintenance and upkeep of existing trails; the development of new trails; the reclamation of closed trails; and other associated actions. LANL is a Federal facility located at Los Alamos, New Mexico, that comprises 40 square miles (mi²) (104 square kilometers [km²]) of buildings, structures, and forested land. LANL is administered by NNSA for the Federal government and managed and operated under contract by the University of California. This EA has been prepared to assess the potential environmental consequences of initiating a LANL Trails Management Program; closing all social trails to further recreational use; and the No Action Alternative.

The general objectives of this EA are to (1) describe the underlying purpose and need for DOE action; (2) describe the Proposed Action and identify and describe any reasonable alternatives that satisfy the purpose and need for agency action; (3) describe relevant baseline environmental conditions at LANL; (4) analyze the potential indirect, direct, and cumulative effects to the existing environment from implementation of the Proposed Action, and (5) compare the effects of the Proposed Action with the No Action Alternative and other reasonable alternatives. For the purposes of compliance with NEPA, reasonable alternatives are identified as being those that meet NNSA's purpose and need for action by virtue of timeliness, appropriate technology, and applicability to LANL. The EA process provides NNSA with environmental information that can be used in developing mitigation actions, if necessary, to minimize or avoid adverse effects to the quality of the human environment and natural ecosystems should NNSA decide to proceed

¹ The NNSA is a separately organized agency within the DOE established by the 1999 *National Nuclear Security Administration Act* (Title 32 of the *Defense Authorization Act* for fiscal year (FY) 00 [Public Law 106-65]).

² The terms "social trails," "trails," and "unimproved trails and roads" are used within this EA to indicate trail treads that have developed at LANL with or without official DOE or NNSA approval. Trails are used primarily by walkers, but some are also used by runners, bicyclists, equestrians, and off-road motorized vehicles. "Pathways," as used in this EA, indicate routes that are improved with paving material, such as asphalt, gravel, or cement and are part of the approved and officially sanctioned pedestrian network within LANL. Pathways may include sidewalks, jogging paths, and other routes designed or designated primarily for foot traffic.

with implementing the Proposed Action. The ultimate goal of NEPA, and this EA, is to aid NNSA officials in making decisions based on an understanding of environmental consequences and in taking actions that protect, restore, and enhance the environment.

1.2 Background

The U.S. National Security Policy requires the NNSA to maintain core intellectual and technical competencies in nuclear weapons and to maintain a safe, and reliable, national nuclear weapons stockpile. NNSA fulfills its national security nuclear weapons responsibilities, in part, through activities performed at LANL. LANL is one of three national security laboratories that support DOE and NNSA responsibilities for national security, energy resources, environmental quality, and science.

The NNSA's national security mission includes the safety and reliability of the nuclear weapons in the stockpile; maintenance of the nuclear weapons stockpile in accordance with executive directives; stemming the international spread of nuclear weapons materials and technologies; developing technical solutions to reduce the threat of weapons of mass destruction; and production of nuclear propulsion plants for the U.S. Navy. The energy resources mission of DOE includes research and development for energy efficiency, renewable energy, fossil energy, and nuclear energy. The DOE's environmental quality mission for the DOE includes treatment, storage, and disposal of DOE wastes; cleanup of nuclear weapons sites; pollution prevention; storage and disposal of civilian radioactive waste; and development of technologies to reduce risks and reduce cleanup costs for DOE activities. DOE's science mission includes fundamental research in physics, materials science, chemistry, nuclear medicine, basic energy sciences, computational sciences, environmental sciences, and biological sciences, and often contributes to the other three DOE missions. LANL provides support to each of these departmental missions, with a special focus on national security.

The assignments of Congressionally mandated mission support functions have changed over the past 60 years as LANL has evolved from the original Manhattan Project, Project "Y" facility established in early 1943. The mission for the Manhattan Project was to develop the world's first nuclear weapon in support of the Nation's defense during World War II. The U.S. Army Corps of Engineers was responsible for the Manhattan Project and for choosing locations to conduct the various Project activities. The criteria established for choosing the Manhattan Project, Project Y site were as follows: (1) the site had to have adequate housing for 30 scientists; (2) the site had to be owned by the government or easily acquired in secrecy; (3) the site had to be large enough and uninhabited enough so as to permit safe separation of sites for experiments; (4) access to the site had to be easily controlled for security and safety reasons; and (5) there had to be enough cleared land free of timber to locate the main buildings at once. The site chosen for Project Y was the Los Alamos Ranch School, which consisted of several buildings, including a main school building (now known locally as Fuller Lodge) and several cabins and outbuildings. The location of the Los Alamos Ranch School was on one of the Pajarito Plateau mesa tops (now known as the Los Alamos town site mesa) situated along the eastern flank of the Jemez Mountains in northern New Mexico.

The area surrounding the Los Alamos Ranch School has been used for centuries. It was first populated by ancestors of modern day Pueblo People (Ancestral Puebloans migrated from the Mesa Verde Region surrounding the Four Corners Region and the Chaco Region of western New Mexico) including the Pueblos of San Ildefonso and Cochiti. It was used later by Spanish and

Mexican settlers and scattered American homesteaders. The Los Alamos area was used in the late 1800s and early 1900s to graze herds of cattle and sheep and to grow hay and other crops. Historic wagon roads and single-lane trails, some of which are centuries old, traverse the mesas and canyons of the region. A single unpaved roadway suitable for use by automobiles accessing the Los Alamos Ranch School was present in early 1943 when the U.S. Army Corps of Engineers took over the site.

“Throughout the Pajarito Plateau there is a network of...trails, often connecting villages or leading to farming areas. They were cut and worn into the rock by generations of ancestral Pueblo people, barefooted or in sandals, passing back and forth from their mesa-top homes to the fields and to springs in the canyons below.” (From the Tsankawi Trail pamphlet produced by Southwest Parks and Monuments Association for Bandelier National Monument).

After the end of World War II, the Manhattan Project, Project Y facility was assigned continuing nuclear-related activities and is operated today primarily as a nuclear research and development laboratory known as LANL. Los Alamos County residents and visitors alike have accessed LANL area trails for decades since the first scientists and their support personnel and family members made use of the already existing trails and wagon roads for recreational purposes and to move on foot between laboratory areas at a time when vehicles were not always the fastest means of travel in the area. New social trails have been created along with new footpaths and roads to facilitate the foot traffic and vehicle traffic. Many trails that link areas of significance to Pueblo People continue to exist, have been maintained since pre-European contact, and remain culturally important to the neighboring Pueblos.

Today, 60 years after the creation of the Manhattan Project, Project Y facility from the Los Alamos Ranch School, there are numerous social trails, footpaths, and roads that range over the mesas and canyons that make up LANL, Los Alamos County, and other nearby lands owned or administered by various private land holders, Federal agencies, and the Pueblo of San Ildefonso. LANL adjoins lands currently under the administrative control of the (U.S. Department of Agriculture) Santa Fe National Forest, the (U.S. Department of the Interior) Bandelier National Monument, the Pueblo of San Ildefonso, Los Alamos County, and various county-owned and private lands in Los Alamos and Santa Fe Counties. Figure 1 shows LANL in relation to the surrounding region and neighboring jurisdictions.

Lands located within the Pajarito Plateau, including LANL, host a complicated web of natural and cultural resources. LANL has many areas of suitable habitat for Federally protected threatened and endangered species of plants and animals. Big game species (such as elk [*Cervus elaphus nelsoni*], mule deer [*Odocoileus hemionus*]), and their natural predators (such as black bears [*Ursus americanus*] and mountain lions [*Felis concolor*]) make their homes at least part of the year within LANL boundaries. The major canyons at LANL have been mapped for 100-year floodplains, and scattered wetlands are present both within canyons and along mesa tops and canyon sides. There are many soil and geologic features of interest at LANL. LANL also has many unpaved forest access roads that are used and maintained for fire prevention and control and for security patrol purposes.

LANL was designated in 1976 as a National Environmental Research Park (NERP) by the DOE with the goal of contributing to the understanding of how humans can best live in balance with nature, while enjoying the benefits of technology. This is accomplished by an integrated scientific approach for evaluation of the relevance of stressors to the environment and the mitigation of possible effects from these stressors. Trail use at LANL is one example of how this balance can be affected because lands within LANL have not been subject to some of the same stressors as lands adjacent to its boundaries in part due to the exclusion of grazing, hunting, and commercial activities for the past 60 years. Some adjacent landowners like the Pueblo of San Ildefonso have also excluded some of these same activities from their lands.

As previously stated, many of the social trails at LANL are important for their prehistoric and historic context and are of cultural significance to many people living and working in the area, including Pueblos nearby. Some of these trails have been evaluated for National Register of Historic Places (NRHP) significance, and the State Historic Preservation Office (SHPO) has determined that they are potentially eligible. In April 2003, the SHPO listed some of these roads and trails on the State Register of Cultural Properties (Slick 2003). Some trails fall within areas identified as potential release sites (PRSSs) for wastes or areas of concern by the LANL Environmental Restoration Project. These areas may contain contamination as legacies of the Manhattan Project and from the early days of the facility's operation; many of the trails also are within the health, safety, and security buffer zones around research sites previously mentioned. Some of these trails are within sensitive habitat for Federally listed threatened and endangered species and may not be accessible during some portions of the year. Some of the LANL social trails are within or near the land tracts subject to or recently conveyed or transferred under the requirements of Public Law 105-119³. Conveyance of additional land to Los Alamos County under this act must occur before the end of the year 2007. Lands transferred to the Pueblo of San Ildefonso have been identified by the Pueblo as lands to be used exclusively by and at the discretion of the members of the Pueblo of San Ildefonso.

Both the Santa Fe National Forest and Bandelier National Monument support their respective Department's Congressionally assigned mission responsibilities for public recreation. These two Federal agencies have implemented land use plans establishing networks of trails on lands under their administrative control that are maintained for recreational use by the public. Bandelier National Monument had over 292,000 visitors in 2002, and has averaged about 344,000 annual visitors over the past decade.

At no time has DOE, or its predecessor agencies, been assigned any public recreational mission(s) by Congress. DOE and NNSA have no formal policy on public access to and recreational use of trails on DOE-administered land. However, individual facility programs for allowing workers and officially invited guests access to trails within facility boundaries for recreational use have been developed at some of the DOE Complex facilities (such as the Oak Ridge Reservation in Tennessee). At LANL, DOE has officially designated one trail for unlimited public hiking access, the commemorative Anniversary Trail, which is located on NNSA-administered land within Technical Area (TA) 74 at the eastern end of LANL near the Anderson Overlook along State Road (SR) 502. This trail was dedicated in 1993 to

³ The potential conveyance and transfer of these 10 land tracts is the subject of the 1999 DOE/EIS-0293, *Final Environmental Impact Statement for the Conveyance and Transfer of Certain Land Tracts Administered by the U.S. Department of Energy and Located at Los Alamos National Laboratory, Los Alamos and Santa Fe Counties, New Mexico*.

commemorate the 50th anniversary of the Manhattan Project, Project Y through the cooperative efforts of the DOE, LANL, Los Alamos County, and community volunteers.

Inconsistent signing and fencing practices and the lack of a trail access policy at LANL have led to unsanctioned trail use and confusion regarding the approved use of trails and access to LANL lands by the public (Figure 2). The public has the impression that all trail use at LANL is condoned. There are popular trails that are posted with non-government issued signs. Non-DOE issued guidebooks and other sources, including sites on the World Wide Web, provide information about these trails, sometimes with and sometimes without cautionary caveats. Additionally, there are areas at LANL posted with government-issued signs indicating that daytime use is permitted that are also posted with conflicting “No Trespassing” signs. This situation has created ambiguity about permissible trail use, inconsistent trespass enforcement, and some confusion about exactly what constitutes trespassing, particularly from the perspective of the Pueblo of San Ildefonso whose ancestral lands comprise much of the east Pajarito Plateau region where LANL, Bandelier National Monument, the communities of White Rock and Los Alamos, and the Santa Fe National Forest are located. Additionally, the Pueblo of San Ildefonso and other nearby Pueblos are concerned about inappropriate trespassing by LANL trail users onto lands belonging to the Pueblos. The problem of confusing signs within LANL has been addressed in part with the initiation of a Way Finding and Signage Concept Plan that is intended to provide more uniform and helpful directions for visitors and employees. This plan is being phased in as part of revised design specifications and engineering standards, and as budgets permit.



Figure 2. Examples of inconsistent signing and fencing practices at LANL.

NNSA and the LANL management contractor recognize the importance that the social trails at LANL play in the use and enjoyment of the area by its inhabitants and LANL workers and officially invited guests. Many of the social trails are in daily use while others are used less frequently (Figure 3 shows some of these trails). A large number of the LANL research areas are remote and are scattered about LANL; these research areas may have large health, safety, or security designated buffer zones associated with them. Some of the more densely developed and improved areas of LANL lack adequate or convenient vehicle parking. In both instances, the social trails at LANL serve both recreational and work-related uses for foot and bicycle traffic at LANL.



Figure 3. Views of trails at LANL.

Los Alamos County has established a Parks and Recreation Board that includes a Trails and Pedestrian Pathway Subcommittee. The purpose of this subcommittee is to consider the use and maintenance of a network of interconnecting trails around Los Alamos County that provides links to areas nearby. In 1994, Los Alamos County adopted a *Trails Management Plan for Los Alamos County* (LAC 1994). This Plan recognized the necessity of cooperation and participation with other area land owners and stewards that would be needed for successful implementation of an urban trail system connecting Los Alamos town site and White Rock communities with trails that reach into land administered by the NNSA, Santa Fe National Forest, and Bandelier National Monument. In July of 1995, the Subcommittee presented a formal report to DOE proposing that 17 trail corridors be established (LAC 1995). Subsequently, the Trails and Pedestrian Pathways Subcommittee has contacted DOE, NNSA, and LANL requesting information regarding DOE's public trail use policy and advocating for official sanction of public access to some LANL trails. This Federal action would require the NNSA to determine and formally designate trails for public use.

The May 2000 Cerro Grande Fire has caused NNSA and LANL to periodically close trail areas within LANL to recreational and unapproved worker use due to various threats. During extreme fire danger periods many trails and roads have been closed to both recreational and work-related uses in an effort to both prevent new wildfires and to protect members of the public and workers along the trails should a wildfire occur. Likewise, trails that traverse canyon bottoms have been periodically closed to the public during summer months due to the enhanced post-fire threat of flash flooding. Safe maintenance of LANL social trails has become a recent concern with regard to soil erosion occurring along the trails, most of which haven't been maintained in any routine fashion over the past 60 years. Other major LANL trail use concerns include the issue of appropriate trail use at LANL and security threats to LANL and its NNSA mission assignments.

Pertinent Trails Issues

- *DOE, NNSA does not have a public recreational mission established by Congress.*
- *Public gets conflicting messages because signs, access controls, and enforcement at LANL vary.*
- *Trespassing occurs from LANL onto adjacent lands where trail use is not permitted.*
- *Trail use poses threats to some cultural and natural resources.*
- *Trail use in certain LANL areas increases the risks of human exposure to PRSs and other operational and natural hazards. Some of the natural hazards have been magnified by the Cerro Grande Fire.*
- *Security concerns are posed by the use of certain LANL trails.*

1.3 Statement of Purpose and Need for Agency Action

DOE and NNSA must balance their Congressional mission requirements with other land use and stewardship considerations at LANL. The NNSA administers the 40-square-mile LANL property that adjoins lands under the administrative control of the Santa Fe National Forest;

Bandelier National Monument; the Pueblo of San Ildefonso; Los Alamos County; and various public and private lands in Los Alamos and Santa Fe Counties. There are many unimproved social trails at LANL that are used by its employees and officially invited guests⁴, as well as by local residents and the general public, for work-related, cultural, and recreational reasons. Throughout the past six decades people have used these LANL social trails for getting to and from work and for recreational purposes such as hiking and riding horses, bicycles, and other mechanical and motorized devices. Many of these trails originate outside LANL boundaries and may traverse land administered or owned by several government entities or private parties. These social trails include unpaved trails, roads, and portions of prehistoric and historic trails and roads that may be eligible for inclusion in the NRHP. LANL social trails also traverse areas of potential contamination and areas where sensitive natural and cultural resources are present.

The NNSA needs to determine the permissible use of trails within LANL in order to facilitate the establishment of a safe, viable network of linked trails across the Pajarito Plateau that traverses land holdings of various private and government entities for recreational use and for alternate transportation purposes (such as riding bikes to and from residences and worksites). The purpose of such action would be to provide acceptable access to trails within LANL where such use is desired and appropriate without posing a threat to DOE and NNSA mission support work at LANL or disrupting LANL operations. Public safety, operational security, and the protection of sensitive natural and cultural resources would be primary considerations in the establishment of such action at LANL.

1.4 Scope of This EA

A sliding-scale approach (DOE 1993) is the basis for the analysis of potential environmental and socioeconomic effects in this programmatic EA. That is, certain aspects of the Proposed Action have a greater potential for creating environmental effects than others; therefore, they are discussed in greater detail in this EA than those aspects of the action that have little potential for effect. This EA, therefore, presents in-depth descriptive information on ecological resources such as threatened or endangered species to the fullest extent necessary for effects analysis. On the other hand, implementation of the Proposed Action would have no effect on land use or visual resources at LANL. Thus, no description of such effects is presented.

When details about a Proposed Action are incomplete, as a few are for the Proposed Action evaluated in this EA, a bounding analysis is often used to assess potential effects. When this approach is used, reasonable maximum assumptions are made regarding potential aspects of project activities (see Chapters 2.0 and 3.0 of the EA). Such an analysis usually provides an overestimation of potential effects. In addition, any proposed future action(s) that exceeds the assumptions (the bounds of this effects analysis) would not be allowed until an additional NEPA review could be performed. A decision to proceed or not with the action(s) would then be made.

1.5 Cooperating Agencies

The CEQ Regulations (40 CFR 1500-1508) define cooperating agency as any Federal agency other than lead agency which has jurisdiction by law or special expertise with respect to any

⁴ “Officially invited guests” is intended by this EA to describe people who have been invited by DOE or the LANL contractor to be at LANL for any purpose deemed appropriate by DOE or the site contractor. These individuals may include the staff of regulatory agencies, members of Native American Pueblos and Tribes, and members of various search and rescue teams, emergency responders, or security teams.

environmental impact involved in a proposal, and specifically notes that a state or local agency or Indian tribe may also become a cooperating agency by agreement with the lead agency. Part 1501.6 provides specifics on the roles of a cooperating agency. On November 26, 2002, NNSA as the lead agency for the preparation of this EA invited Los Alamos County, the Santa Fe National Forest, Bandelier National Monument, and the four Accord Pueblos⁵ to be cooperating agencies. Bandelier National Monument has become a cooperating agency while Los Alamos County, the Forest Service, San Ildefonso Pueblo, and Santa Clara Pueblo have instead chosen to participate less formally by attending scheduled management review team meetings, providing comments, and reviewing the draft document.

1.6 Public Involvement

DOE, NNSA provided written notification of the planned preparation of this EA to the State of New Mexico, the four Accord Pueblos, Acoma Pueblo, the Mescalero Apache Tribe, and to over 30 stakeholders in the LANL area on March 25, 2002. Upon issuance of the predecisional draft EA on July 11, 2003, NNSA again notified these parties of the availability of the EA for review and comment through August 5, 2003, by letter. Over the following week, notices of the availability of the EA for review and comment were also placed in three local newspapers and on the LANL electronic Daily NEWSBulletin, as well as the LANL-on-line Meeting Calendar. These notifications included information about a public information and EA comment opportunity meeting held in Los Alamos on July 30, 2003. Additionally, three days before the meeting public notice announcements of the meeting were aired on KRSN AM Radio and on the day of the meeting an article appeared on the front page of the Los Alamos Monitor newspaper. Comments on the draft EA received or postmarked before the end of the 21-day comment period were considered where appropriate and to the extent practicable in the preparation of the final EA; comments received after August 5, 2003, were considered to the extent practicable in the preparation of the final EA.

In total, 125 comment documents were received on the Trails Management Program EA. The comment documents included transcriptions of telephone calls, letters, and e-mail messages that have been reproduced and placed in Appendix A of this EA. Primary themes of the comments received on the predecisional draft EA included: *expressions of personal preferences regarding one or more of the three alternatives analyzed in the EA; concerns regarding adequate public notice of the proposed Trails Management Program, the meeting held on July 30th, and of the NEPA compliance process; concerns regarding the quality of life at Los Alamos and the health and well being of LANL workers and Los Alamos residents; concerns and suggestions for implementing a Trails Management alternative; concerns about trails access while a Trails Management Plan was being implemented; concerns about access to trails by emergency response teams, including their use by these teams for training purposes, if trails were closed; and suggested revisions to the Draft EA.* These major comment themes are elaborated upon in the following bulleted text and general NNSA responses are provided in the paragraphs that follow.

⁵ Four Pueblos that have each executed formal accord documents with DOE setting forth the government-to-government relationship between each of the Pueblos and DOE. The four Pueblos are Cochiti, San Ildefonso, Santa Clara, and Jemez.

General Comments:

Many commenters expressed their personal preference for implementation of one of the alternatives analyzed. Reasons cited for preferring the Trails Management Program Alternative, the Trails Closure Alternative, or the No Action Alternative included: concerns that efforts to manage the trails would not receive adequate funding or staffing and that the management process would not include representation of certain user groups; fears that all or most trails would be closed to recreational opportunities or to certain user groups; a lack of any perceived problem with the status quo, and recognition that resources were being adversely effected in some areas and that repairs to some trails were needed.

NNSA Responses:

LANL management, taking into consideration the recommendations provided by the Trails Assessment Working Group and other stewardship priorities, would establish funding and staffing levels for implementing a LANL Trails Management Program. It would be expected that resources requested by that group would be commensurate with anticipated work identified as being needed over the next year and would be dependent upon the trail(s) being evaluated. The Trails Assessment Working Group would seek input or recommendations from various user groups as they determine necessary or advisable. With such a long-term, on-going effort, it is expected that over the years many people will be involved in the program at many different levels of involvement. As stated in Chapter 2.1 of the EA, one of the goals of the proposed Trails Management Program would be “to facilitate the establishment of a safe, viable network of linked trails across the Pajarito Plateau that traverse land holdings of various private and government entities for recreational use and for alternate transportation purposes without posing a threat to DOE and NNSA mission support work at LANL or disrupting LANL operations.” Meeting this goal would be incompatible with closing all trails at LANL. This goal could be met, however, through the LANL Trails Management Program at LANL by one of at least three means: by rerouting segments of trails to avoid sensitive resources, by closing trails if segment rerouting were not possible, or by opening new trails that do not endanger sensitive resources. Since LANL operations to facilitate DOE and NNSA mission responsibilities shall be conducted in compliance with applicable environmental and cultural laws and regulations, most conflicts between meeting legal and regulatory needs can be resolved by rerouting segments of trails; or if this were not feasible, a trail may be closed. Under the program, new LANL trails could be planned and constructed as proposed or a need was identified. Chapter 1 of the EA identifies issues and concerns related to the status quo with regard to trail use at LANL. The information presented in the EA does not detail the specifics about existing individual trails that require correction in order for NNSA to meet some of our regulatory responsibilities. Continuation of the status quo does not meet NNSA’s stated Purpose and Need for Agency Action, and it would not provide for circumstantial changes that may occur over time or reactions to altered environmental conditions that may be needed. While certain individuals may be happy with their preferred trails as they currently exist and not wish them to change, change in nature is inevitable and the status quo does not provide a mechanism to reasonably address changes as they become needed. Other individuals have recognized erosion along the trails they use and would like to see the situation addressed before significant damage or undesirable changes have occurred.

General Comments:

Reasons cited for concerns regarding adequate public notice of the proposed Trails Management Program, the meeting NNSA hosted on July 30th, and of the NEPA compliance process included: a perception of inadequate prior notification of the preparation of an EA or of the proposed Trails Management Program; a perceived lack of adequate advance notification effort on the part of NNSA for the meeting; a desire to have the draft EA document electronically publicly available; a desire for a longer comment period; and a lack of understanding of the NEPA compliance process, including the length of the comment period, the need to apply that process to the proposed program at LANL, and the need for consideration of the Trails Closure Alternative as a reasonable alternative to the Agency's purpose and need for action.

NNSA Responses:

As stated in the first paragraph of this section of the EA, the NNSA made reasonable attempts and put forth reasonable effort to notify interested parties about both the preparation of the EA and about the meeting it hosted on July 30th. In complying with NEPA, the NNSA adheres to the Council on Environmental Quality's NEPA implementing regulations (40 CFR 1500-1508), to the DOE's NEPA implementing regulations (10 CFR 1021), and to DOE's NEPA implementation order (DOE O451.1b). These regulations identify the NEPA compliance process and establish how DOE will undertake NEPA compliance actions, including what constitutes an "action" for which DOE must consider NEPA compliance, notification to be undertaken of the preparation of NEPA documents, the comment and review period allowed, the range of reasonable alternatives that need to be analyzed in NEPA documents, and so forth. For example, the DOE's NEPA implementing regulations establish that EA comment periods will be from 14 to 30 days long at DOE's discretion (10 CFR 1021. 301); in complying with NEPA, all reasonable alternatives for meeting the identified Agency purpose and need for action must be analyzed in an EA, even those that may not be popular or desirable due to other factors. NNSA places NEPA documents in DOE Reading Rooms and to the extent allowed, in public libraries. Before the tragic events of September 11, 2001, DOE routinely placed its NEPA documents on the World Wide Web for public review. Since that time, DOE has revised its policy of placing electronic versions of NEPA documents on the Internet and is carefully screening all documents its posts to its websites. As a result not all NEPA documents are available to the public via the Internet system or if available may not be posted in a timely fashion. We regret any inconvenience this may cause. Hardcopies of NEPA documents remain available upon request.

General Comments:

Reasons cited for concerns regarding the quality of life at Los Alamos and the health and well being of LANL workers and Los Alamos residents included: the perceived love of outdoor recreational opportunities that is believed to be pervasive in the Los Alamos community and among LANL workers; the perception that area trails are assets to recruiting and keeping LANL workers, serve as assets to the town, and enhance property values and local tourism efforts; concerns that recreational access to trails located within Santa Fe National Forest would be eliminated if certain trails were closed; fears that certain user groups would be excluded from using any of the LANL trails or the trails of their choice; concerns that LANL trail closures

could result in more people using roads and highways for commuting and recreational purposes resulting in elevated safety concerns; concerns that the Cerro Grande Fire and other LANL-related events have sufficiently reduced the quality of life for area workers and residents that trail closures would be a “final straw” resulting in people moving from the area and in leaving the local job force; and concerns that the temporary and permanent closure of trails due to high fire danger conditions, unsafe post-fire conditions in the general Los Alamos area, or the transfer of certain land away from DOE ownership, has enhanced the desirability of LANL trails for recreational use as trails on other properties have been closed and the cumulative loss of the use of LANL trails would further adversely affect the general quality of life for area residents and also the morale of LANL workers.

NNSA Responses:

As stated in Chapters 1 and 3 of the subject EA, there are many trails within the LANL area that reach across the Pajarito Plateau and pass through lands under the management, control or ownership of a variety of parties and entities. Many of these trails are centuries old; some of the trails are of very recent origin. A wide suite of natural and cultural resources is present along the trail reaches. The importance of the trails to various people living and working along the Pajarito Plateau is as varied as the individuals involved. As stated in Section 1.2, “NNSA and the LANL management contractor recognize the importance that the social trails at LANL play in the use and enjoyment of the area by its inhabitants and LANL workers and officially invited guests.” Chapter 3.1 of the document, in describing the existing LANL environment, includes the statements: “Outdoor recreation is a significant component of tourism activity in Los Alamos County and adjacent counties. Trail access contributes in other ways to the local economy through contribution to overall quality of place. Outdoor recreational opportunity is an important component of what makes living in Los Alamos attractive to prospective residents and employees of LANL and other employers.” The stated goals for proposed Trails Management Program would reinforce the acknowledged importance of trails to residents and workers of the Pajarito Plateau and further the use of trails by providing a mechanism for making necessary repairs and enhancements to the overarching system of trails. Many of the stated and unstated concerns about the quality of life and the health and well being of LANL and Los Alamos County workers and residents dovetail with the NNSA’s proposal for a Trails Management Program to facilitate trails use for future generations to enjoy the use of trails as much or more than past generations have enjoyed them.

General Comments:

Reasons cited for concerns about and suggestions for implementing a Trails Management alternative included: concerns about adequate funding levels and staffing and fears of a de facto closure of all trails at LANL for recreational purposes due to a lack of adequate funding or staffing; the perceived desirability to community volunteer labor for performing trails maintenance and other work; concerns that a Trails Management Program should be implemented expeditiously rather than over a 10-year period; concerns about and suggestions for inviting the many user groups to participate in the management program implementation; suggestions for the need to provide adequate general public participation and comment in individual trail reviews, and suggestion that a formal DOE Trails Policy be written and adopted.

NNSA Responses:

Funding necessary to implement a trails management program, as already mentioned in this section, will be a function of work identified as being required. Requirements for implementing the Trails Management Program would be the subject of a Mitigation Action Plan (MAP). NNSA recommendations to the Trails Assessment Working Group for implementation of the Program could be provided through this Final EA, the MAP and subsequent Team discussions. How the trails are maintained, the level of maintenance required, the rate at which trails could be evaluated and actions implemented, and so forth, would be predicated by the intended user groups and the sensitivity of area resources to degradation by the users, among other factors. Establishment of a mechanism for inviting volunteer labor would be pursued as much for its desirable cost reduction benefit to the Program as for its desirable inclusion of the people who would benefit from the trails - the trails users. NNSA and DOE will not undertake a formal Trails Policy as suggested, however. Such a policy would not be germane to many DOE sites and is not needed in order to establish local use of trails at LANL.

General Comments:

Reasons cited for concerns about trails access while a Trails Management Plan was being implemented included: concerns about all of the trails being closed to recreational use while each individual trail is being reviewed and determinations about its closure or continuing use are made over the time it takes to complete a review of all the trails (about 10 years); concerns that certain trails could be closed for up to ten years while a particular trail awaits the management committee's review and determination; and concerns that trails closed to recreational use temporarily due to elevated level of wildfire danger would not be reopened when prevailing site conditions improved and the danger level returned to a more moderate state.

NNSA Responses:

Chapter 2 of the EA discusses the proposed Trails Management Program. Implementing the Program over a ten-year period was felt to be necessary given the complexity of the trail reaches and the issues surrounding the various trails reach areas, the difficulty of establishing a functional working group and other factors. The description of the Trails Management Program does not include the closure of all trails or the closure of any specific trails to recreational use pending their individual review and the completion of any repairs or other associated actions. The Program's description includes provision for temporary closures as needed, which would include closing a trail for the period of time needed to affect repairs or maintenance actions. Such closures are common with Bandelier National Monument and Santa Fe National Forest nearby and should not be of long duration. Trails within LANL were closed during the summer months of 2003 temporarily due to an enhanced level of fire danger as a result of the drought being experienced by the southwestern portion of the United States; these trails were reopened for recreational use in mid-August 2003. Temporary closures of trails over the Pajarito Plateau to recreational users may be necessary for a variety of reasons in the future and should not be confused with permanent trail closures that may also be necessary, but which would be clearly marked and refurbished as identified in the Proposed Action description.

General Comments:

Reasons cited for concerns about access to trails by emergency response teams, including the use of trails by these teams for training purposes, if trails were closed included: the need for multiple trail use to train search and rescue dogs for difficult terrain emergency search responses, the need for trails over a variety of terrain conditions to train dogs for emergency response work; and the need for firefighters and security personnel to have access to trails even if they were not LANL employees.

NNSA Responses:

Emergency response teams, groups and individuals, including any animals associated with their actions and training or testing exercises, would be accommodated at LANL and along trails at LANL under any of the alternatives considered in this EA. If a trail were closed to recreational use under the proposed Trails Management Program, the trail could remain open to LANL workers and officially invited guests. The definition of “officially invited guests” provided in Chapter 1 of the EA has been modified to provide examples of those individuals, teams, entities or organizations that comprise officially invited guests.

General Comments:

Reasons cited for revising the predecisional draft EA included: the need to change the tone of the EA so that it doesn't seem biased against trail users; the need to further consider the mental and physical health benefits derived from trails use and to expand the text regarding the benefits to LANL workers provided by the recreational opportunity of the trails network at LANL; the need to revise the impacts description of socioeconomic effects of the Trails Closure Alternative; the need to reconsider impact severity of trails use on some resources; the need to consider the benefits derived from trails use related to the security of LANL lands; and the need to include text to reflect the use of LANL trails by various community organizations or volunteer groups.

NNSA Responses:

NNSA is not of the opinion that the text of the EA is “biased against trail users” given that the Proposed Action specifically would facilitate recreational trail use at LANL, along with the other examples of EA text already repeated in this section. Nor is NNSA of the opinion that the text of the document requires major revision to change its overall “tone” of presentation. A review of the draft EA was undertaken and where appropriate, and to the extent practicable, minor text changes have been made in response to specific text changes recommended by those who commented.

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